

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUNE 30, 2006

PTAS

**\*500120613A\***

LISA A. HAILE, J.D., PH.D.  
4365 EXECUTIVE DRIVE, SUITE 1100  
DLA PIPER RUDNICK GRAY CARY US LLP  
SAN DIEGO, CA 92121-2133

**\*500120613A\***

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 06/28/2006

REEL/FRAME: 017853/0700  
NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: MEDIV2010-2

ASSIGNOR:

KORNOWSKI, RAN

DOC DATE: 06/27/2006

ASSIGNOR:

FUCHS, SHMUEL

DOC DATE: 06/27/2006

ASSIGNOR:

EPSTEIN, STEPHEN E.

DOC DATE: 06/27/2006

ASSIGNOR:

LEON, MARTIN B.

DOC DATE: 06/27/2006

## PATENT ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.1

06/28/2006  
500120613

SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
CONVEYING PARTY DATA											
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Ran Kornowski</td><td>06/27/2006</td></tr><tr><td>Shmuel Fuchs</td><td>06/27/2006</td></tr><tr><td>Stephen E. Epstein</td><td>06/27/2006</td></tr><tr><td>Martin B. Leon</td><td>06/27/2006</td></tr></tbody></table>	Name	Execution Date	Ran Kornowski	06/27/2006	Shmuel Fuchs	06/27/2006	Stephen E. Epstein	06/27/2006	Martin B. Leon	06/27/2006	
Name	Execution Date										
Ran Kornowski	06/27/2006										
Shmuel Fuchs	06/27/2006										
Stephen E. Epstein	06/27/2006										
Martin B. Leon	06/27/2006										
RECEIVING PARTY DATA											
<table border="1"><tr><td>Name:</td><td>Myocardial Therapeutics, Inc.</td></tr><tr><td>Street Address:</td><td>6350 Nancy Ridge Drive, Suite 103</td></tr><tr><td>City:</td><td>San Diego</td></tr><tr><td>State/Country:</td><td>CALIFORNIA</td></tr><tr><td>Postal Code:</td><td>92121</td></tr></table>	Name:	Myocardial Therapeutics, Inc.	Street Address:	6350 Nancy Ridge Drive, Suite 103	City:	San Diego	State/Country:	CALIFORNIA	Postal Code:	92121	
Name:	Myocardial Therapeutics, Inc.										
Street Address:	6350 Nancy Ridge Drive, Suite 103										
City:	San Diego										
State/Country:	CALIFORNIA										
Postal Code:	92121										
PROPERTY NUMBERS Total: 1											
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>09868411</td></tr></tbody></table>	Property Type	Number	Application Number:	09868411							
Property Type	Number										
Application Number:	09868411										
CORRESPONDENCE DATA											
Fax Number: (858)677-1465 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
Phone: (858) 638-6756											
Email: aldon.griffis@dlapiper.com											
Correspondent Name: Lisa A. Haile, J.D., Ph.D.											
Address Line 1: 4365 Executive Drive, Suite 1100											
Address Line 2: DLA Piper Rudnick Gray Cary US LLP											
Address Line 4: San Diego, CALIFORNIA 92121-2133											
ATTORNEY DOCKET NUMBER:	MEDIV2010-2										
NAME OF SUBMITTER:	Lisa A. Haile, J.D., Ph.D.										

CH \$40.00 09868411

**Total Attachments: 7**

source=MEDIV2010-2 Assignment (Kornowski, Fuchs, Espstein & Leon to Myocardial Therapeutics, Inc.)#page1.tif  
source=MEDIV2010-2 Assignment (Kornowski, Fuchs, Espstein & Leon to Myocardial Therapeutics, Inc.)#page2.tif  
source=MEDIV2010-2 Assignment (Kornowski, Fuchs, Espstein & Leon to Myocardial Therapeutics, Inc.)#page3.tif  
source=MEDIV2010-2 Assignment (Kornowski, Fuchs, Espstein & Leon to Myocardial Therapeutics, Inc.)#page4.tif  
source=MEDIV2010-2 Assignment (Kornowski, Fuchs, Espstein & Leon to Myocardial Therapeutics, Inc.)#page5.tif  
source=MEDIV2010-2 Assignment (Kornowski, Fuchs, Espstein & Leon to Myocardial Therapeutics, Inc.)#page6.tif  
source=MEDIV2010-2 Assignment (Kornowski, Fuchs, Espstein & Leon to Myocardial Therapeutics, Inc.)#page7.tif



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 22, 2005

PTAS

GRAY CARY WARE & FREIDENRICH LLP  
JUNE M. LEARN, J.D., PH.D.  
4365 EXECUTIVE DRIVE, SUITE 1100  
SAN DIEGO, CA 92121-2133



\*102843592A\*

RECEIVED

MAR 29 2005

## UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/23/2004

REEL/FRAME: 015806/0764  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: MEDIV2010-4

ASSIGNOR:

EPSTEIN, STEPHEN

DOC DATE: 03/07/2004

ASSIGNOR:

FUCHS, SHMUEL

DOC DATE: 03/08/2004

ASSIGNOR:

KORNOWSKI, RAN

DOC DATE: 06/03/2004

ASSIGNOR:

LEON, MARTIN B.

DOC DATE: 10/09/2003

ASSIGNOR:

CARPENTER, KENNETH W.

DOC DATE: 03/08/2004

ASSIGNEE:

MYOCARDIAL THERAPEUTICS, INC.  
6350 NANCY RIDGE DRIVE, SUITE 103  
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 10618183

FILING DATE: 07/10/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: INJECTION OF BONE MARROW-DERIVED CELLS AND MEDIUM FOR ANGIOGENESIS

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

09-24-2004



Docket No.: MEDIV2010-4

To the Honorable Commissioner for Patents and

102843592

the attached original documents or copy thereof.

## 1. Name of Conveying party(ies):

- a. Stephen Epstein  
b. Shmuel Fuchs  
c. Ran Kornowski  
d. Martin B. Leon  
e. Kenneth W. Carpenter

2004 SEP 23 PM 3:51

FINANCE SECTION

Additional name(s) of conveying party(ies)

attached? \_\_\_ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment  
\_\_\_ Security Agreement  
\_\_\_ Other
- \_\_\_ Merger  
\_\_\_ Change of name

Execution Date: a. March 7, 2004  
b. March 8, 2004  
c. June 3, 2004  
d. October 9, 2003  
e. March 8, 2004

## 2. Name and address of receiving Party(ies)

Name: Myocardial Therapeutics, Inc.

Internal Address: \_\_\_\_\_

Street Address: 6350 Nancy Ridge Drive, Suite 103City: San Diego State: CA Zip Code: 92121

Additional name(s) &amp; address(es) attached?

\_\_\_ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

**10/618,183**

B. Patent No.(s)

Additional numbers attached? \_\_\_ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: June M. Learn, J.D., Ph.D.  
GRAY CARY WARE & FREIDENRICH LLP

Street Address: 4365 Executive Drive, Suite 1100  
City: San Diego State: CA Zip Code: 92121-2133

6. Total number of Applications and patents involved: 1

## 7. Total fee (37 CFR 3.41)

**\$ 40.00**

☒ Enclosed - Check No.: **566700**  
☒ Authorized to charge any underpayment to  
Deposit Account No. 50-1355.

DO NOT USE THIS SPACE

## 9. Statement and signature:

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

June M. Learn, J.D., Ph.D. (Reg. No. 31,238)

Name of Person Signing

Signature

September 20, 2004

Date

Total number of pages including cover sheet, attachments, and document: 6

09/24/2004 ECDUPER 00000023 10618183

01 FC:8021

40.00 DP

ASSIGNMENT  
BY INVENTOR(S)

This assignment ("Assignment") is made by Stephen Epstein, of Rockville, Maryland, Shmuel Fuchs of Rockville, Maryland, Ran Kornowski of Ramat-Hasharon, Martin B. Leon, New York, New York 10021, and Kenneth W. Carpenter of La Jolla, California (collectively, the "Assignors") to Myocardial Therapeutics, Inc., a California corporation ("Assignee"), having a place of business at 6350 Nancy Ridge Drive, Suite 103, California 92121.

Recitals

- A. Each of the Assignors has invented a new and useful invention entitled, **INJECTION OF BONE MARROW-DERIVED CELLS AND MEDIUM FOR ANGIOGENESIS**, for which an application for United States Letters Patent was filed on **July 10, 2003**, in the United States Patent and Trademark Office.
- B. Each of the Assignors authorizes and requests insertion of the serial number of the application when officially known:
- The United States Application Serial No.: 10/618,183.
- C. Each of the Assignors believes the Assignors to be the original, first and joint inventors of the invention disclosed and/or claimed in the application for Letters Patent.
- D. The parties desire to have a recordable instrument assigning from the Assignors to the Assignee the entire rights, title and interest in and to the invention, the application and all Letters Patent in the United States and throughout the world that may be granted or issued for the invention or that derive a right of priority from the application (including, without limitation, all

divisional, continuation, continuation-in-part and continued prosecution applications thereof, and all reissues and reexaminations thereof, and all foreign counterparts thereof) (collectively, the "Invention Patents").

Agreement

NOW, THEREFORE, in accordance with the obligations to assign the Invention Patents and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each of the Assignors agrees to the foregoing and as follows:

1. Each of the Assignors does and will sell, assign and transfer to Assignee, such Assignor's entire rights, title, and interest in and to each of the Invention Patents, including, without limitation, the rights to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

2. Each of the Assignors agrees that, upon request and without further compensation, but at no expense to such Assignor, such Assignor and such Assignor's legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing each of the Invention Patents in the United States and throughout the world, and for perfecting, recording, or maintaining the title of Assignee, and Assignee's successors and assigns, in and to each of the Invention Patents in the United States and throughout the world. In the event that Assignee is unable for any reason to secure any of the Assignors' signatures to any document that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing each of the Invention Patents in the United States and throughout the world, or for perfecting, recording, or maintaining the title of Assignee, and Assignee's successors and assigns, in and to each of the Invention Patents in the United States and throughout the world, each such Assignor hereby irrevocably designates and appoints Assignee and Assignee's duly authorized officers



and agents as such Assignor's agents and attorneys-in-fact to act for and on such Assignor's behalf and instead of such Assignor to execute such document, all with the same legal force and effect as if executed by such Assignor.

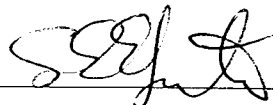
3. Each of the Assignors represents and warrants that such Assignor has not granted and will not grant to others either (1) any rights, title or interest in and to any of the Invention Patents, or (2) any rights inconsistent with the rights granted herein.

4. Each of the Assignors authorizes and requests the Commissioner for Patents of the United States and the various counterparts thereof throughout the world to issue and/or grant any Letters Patent granted for each of the Invention Patents to Assignee, its successors and assigns, as the assignee of the entire interest in such Invention Patents.

5. This Assignment constitutes the entire agreement with respect to its subject matter and supersedes all prior or contemporaneous oral or written agreements concerning such subject matter. No waiver, amendment, or modification of this Assignment shall be effective against the Assignee, unless in writing executed by a duly authorized representative of the Assignee. A breach of any of the promises or agreements contained herein will result in irreparable and continuing damage to Assignee for which there will be no adequate remedy at law, and Assignee shall be entitled to injunctive relief and/or a decree of specific performance, and such other relief as may be proper.


Assignor: Stephen Epstein

Date: 3/7/04

Signature: 

Assignor: Shmuel Fuchs

Date: 3/8/04

Signature: 

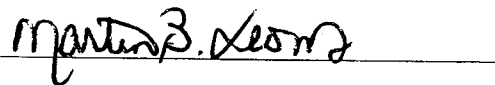
Assignor: Ran Kornowski

Date: 3/8/04

Signature: \_\_\_\_\_

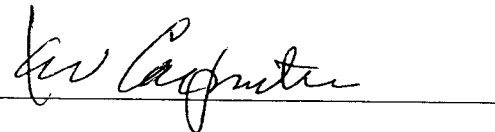
Assignor: Martin B. Leon

Date: 10/9/03

Signature: 

Assignor: Kenneth W. Carpenter

Date: 3/8/04

Signature: 

PATENT  
ATTORNEY DOCKET NO.: MEDIV 0 10-4

Assignor: Shmuel Fuchs

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Assignor: Ran Kornowski

Date: 0/3/04

Signature: Ran Kornowski

Assignor: Martin B. Leon

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Assignor: Kenneth W. Carpenter

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Epstein et al. Art Unit: 1636  
Application No.: 10/618,183 Examiner: R. Akhavan  
Filing Date: July 10, 2003 Confirmation No.: 4304  
Title: INJECTION OF BONE MARROW-DERIVED CELLS AND MEDIUM  
FOR ANGIOGENESIS


MAIL STOP ASSIGNMENT RECORDATION SERVICES  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith for the above-identified application please find:

1. Recordation Form Cover Sheet (1 pg.);
2. Assignment (5 pages);
3. Check No. 566700 in the amount of \$40.00; and
4. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, <b>September 20, 2004</b> , in an envelope addressed to: MAIL STOP ASSIGNMENT RECORDATION SERVICES, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.	
Gregory P. Austin (Name of Person Mailing Paper)	
 (Signature)	September 20, 2004 (Date)

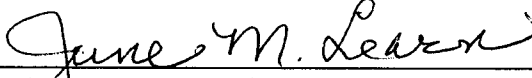
In re Application of:  
Epstein et al.  
Application No.: 10/618,183  
Filed: July 10, 2003  
Page 2

PATENT  
Attorney Docket No.: MEDIV2010-4

Enclosed is Check No. 566700 in the amount of \$40.00 for the Assignment Recordation fee. The Commissioner is authorized to charge any other fees, or credit any overpayments, to Deposit Account No. 50-1355. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Date: September 20, 2004

  
June M. Learn, J.D., Ph.D.  
Registration No.: 31,238  
Telephone: (858) 677-1416  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133  
**USPTO CUSTOMER NO. 28213**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Epstein et al. Art Unit: 1636  
Application No.: 10/618,183 Examiner: R. Akhavan  
Filing Date: July 10, 2003 Confirmation No.: 4304  
Title: INJECTION OF BONE MARROW-DERIVED CELLS AND MEDIUM  
FOR ANGIOGENESIS

MAIL STOP ASSIGNMENT RECORDATION SERVICES  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450


COPY

TRANSMITTAL LETTER

Sir:

Transmitted herewith for the above-identified application please find:

1. Recordation Form Cover Sheet (1 pg.);
2. Assignment (5 pages);
3. Check No. 566700 in the amount of \$40.00; and
4. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, <b>September 20, 2004</b> , in an envelope addressed to: MAIL STOP ASSIGNMENT RECORDATION SERVICES, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.	
Gregory P. Austin (Name of Person Mailing Paper)	
 (Signature)	September 20, 2004 (Date)

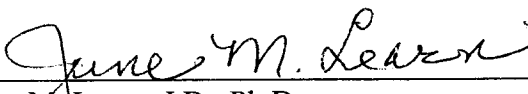
In re Application of:  
Epstein et al.  
Application No.: 10/618,183  
Filed: July 10, 2003  
Page 2

PATENT  
Attorney Docket No.: MEDIV2010-4

Enclosed is Check No. 566700 in the amount of \$40.00 for the Assignment Recordation fee. The Commissioner is authorized to charge any other fees, or credit any overpayments, to Deposit Account No. 50-1355. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Date: September 20, 2004

  
June M. Learn, J.D., Ph.D.  
Registration No.: 31,238  
Telephone: (858) 677-1416  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133  
**USPTO CUSTOMER NO. 28213**